

## **REMARKS/ARGUMENTS**

1. The Applicant has carefully considered the official communication dated March 13, 2008. Applicant respectfully submits that the amendments and the following remarks are fully responsive to the official communication.
2. With regard to the Double Patenting objection, we enclose a terminal disclaimer in relation to US 6,679,584. We also enclose a Request for Continued Examination (RCE).
3. The Examiner has initially rejected claims 4-10 and 16-20 as being unpatentable over Matsumoto (U.S. 6,467,870) in view of Oda (JP 3-147900). The Examiner states that “the claims do not recite specific structure of the printer that enables it to print the claimed number of drops per second” and that “Applicant has not claimed any printhead structure that is not taught by Matsumoto”.
4. In line with the Examiner’s comments, Applicant proposes to amend the claims to recite that each printhead chip includes Micro Electrical Mechanical Systems (MEMS) incorporating actuator arms that are displaceable to eject ink (e.g. see Figure 13 of present application). Applicant respectfully submits that these features are neither disclosed nor suggested by Matsumoto nor Oda, and that the present invention is therefore not obvious.
5. Instead, Matsumoto discloses chips in which static heat resistors, formed on a substrate, are heated to actively discharge ink from the nozzles 34 (see lines 25-34 of col. 7). The Examiner asserts that that the nozzles of Matsumoto are MEMS devices, however, Applicant respectfully disagrees. According to the online dictionary at <http://dictionary.reference.com/>, the term “micro-electromechanical system” (i.e. MEMS) is a well recognized term of art and means “The integration of mechanical structures (moving parts) with microelectronics. MEMS devices are custom designed for a purpose which requires a mechanical action to be controlled by a computer.” The static heat resistor ink ejection arrangements of Matsumoto do not include any moving parts, and are therefore clearly not what the skilled person would regard as MEMS devices.
6. To put the matter beyond doubt, the Applicant has further narrowed the scope of the claims to recite that the MEMS devices incorporate actuator arms that are displaceable to eject ink. Matsumoto clearly does not disclose this feature, and instead discloses the static heater actuator as previously discussed. Accordingly, we submit that the claims are not obvious.
7. Neither citation discloses the features of a flexible PCB as claimed in claim 14, nor overlapping printhead chips to facilitate continuous printing along the chips as claimed in claim 15. Accordingly, we resubmit that these claims are also not obvious.
8. Furthermore, Oda does not disclose a media tray configured to store a media roll which is positioned between a pair of legs of the support structure. Indeed, the media roll 20 of Oda is undesirably exposed and is therefore a potential danger to the

printer operator. Accordingly, claim 19 defines a safer alternative which is in no way obvious in light of Matsumoto in view of Oda.

9. The Examiner alleges that claims 11-13 are not obvious in light of Matsumoto in view of Oda, and then in further view of a new citation Fabbri (US 6,068,367). In the recent KSR decision (*KSR Int'l Co. v Teleflex, Inc., No 04-1350 (US Apr. 30, 2007)*), the court specifically stated that:

*"Often, it will be necessary ... to look to interrelated teachings of multiple patents ... all in order to determine whether there was an apparent reason to combine the known elements in the fashion claimed by the patent at issue. To facilitate this review, this analysis should be made explicit."*

10. The Examiner has given no considered reason why it would be apparent to combine the various features from all three citations. Indeed, Applicant submits that the various features of most inventions are known individually, however, it is the unique combination of these features in a novel and not obvious manner which makes them patentable. Applicant submits that by simply selecting desirable features from the three citations to arrive at the present invention, the Examiner is using the benefit of hindsight which, of course, is clearly impermissible. Accordingly, Applicant submits that claims 11-13 are also not obvious.

It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application are courteously solicited.

Very respectfully,

Applicant/s:



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